



UNITED STATES DISTRICT COURT
District of Minnesota

Richard D. Sletten, Clerk
 Lisa Rosenthal, Chief Deputy Clerk

Warren E. Burger Federal
 Building and U.S. Courthouse
 316 North Robert Street
 Suite 100
 St. Paul, MN 55101
 (651) 848-1100

U.S. Courthouse
 300 South Fourth Street
 Suite 202
 Minneapolis, MN 55415
 (612) 664-5000

Gerald W. Heaney Federal Building and
 U.S. Courthouse and Customhouse
 515 West First Street
 Suite 417
 Duluth, MN 55802
 (218) 529-3500

U.S. Courthouse
 118 South Mill Street
 Suite 212
 Fergus Falls, MN 56537
 (218) 739-5758

CIVIL NOTICE

The appeal filing fee is \$455.00. If you are indigent, you can apply for leave to proceed in forma pauperis, ("IFP").

The purpose of this notice is to summarize the time limits for filing with the District Court Clerk's Office a Notice of Appeal to the Eighth Circuit Court of Appeals from a final decision of the District Court in a civil case.

This is a summary only. For specific information on the time limits for filing a Notice of Appeal, review the applicable federal civil and appellate procedure rules and statutes.

Rule 4(a) of the Federal Rules of Appellate Procedure (Fed. R. App. P.) requires that a Notice of Appeal be filed within:

1. Thirty days (60 days if the United States is a party) after the date of "entry of the judgment or order appealed from;" or
2. Thirty days (60 days if the United States is a party) after the date of entry of an order denying a timely motion for a new trial under Fed. R. Civ. P. 59; or
3. Thirty days (60 days if the United States is a party) after the date of entry of an order granting or denying a timely motion for judgment under Fed. R. Civ. P. 50(b), to amend or make additional findings of fact under Fed. R. Civ. P. 52(b), and/or to alter or amend the judgment under Fed. R. Civ. P. 59; or
4. Fourteen days after the date on which a previously timely Notice of Appeal was filed.

If a Notice of Appeal is not timely filed, a party in a civil case can move the District Court pursuant to Fed. R. App. P. 4(a)(5) to extend the time for filing a Notice of Appeal. This motion must be filed no later than 30 days after the period for filing a Notice of Appeal expires. If the motion is filed after the period for filing a Notice of Appeal expires, the party bringing the motion must give the opposing parties notice of it. The District Court may grant the motion, but only if excusable neglect or good cause is shown for failing to file a timely Notice of Appeal.